

7 *Police vol B.*

S T A T E
OF THE
G A O L S
I N
LONDON, WESTMINSTER,
AND
BOROUGH OF SOUTHWARK.

To which is added,
An ACCOUNT of the Present State of the CONVICTS
sentenced to Hard Labour on Board the JUSTITIA upon
the River THAMES.

W.

By WILLIAM SMITH, M.D.

I was sick, and in Prison, and ye visited me.

MATTH. XXV. 36.

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M. DCC. LXXVI.



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OF all sufferers, a sick prisoner, without any means to procure relief, experiences the most severe and complicated distress. Unknown and unheard, in silent misery he moans and pines away, without one soul to pity or fetch a sigh for his misfortunes.

In gaol virtue languishes and merit mourns, and both lie neglected and forgot, while vice and wickedness reign triumphant.

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The fate of the sober, virtuous, and industrious prisoner, who through sickness, want of employment, a large family to maintain, unavoidable losses, disappointments, &c. comes to gaol, is perhaps the most wretched of the human species; deprived of liberty, and rendered totally incapable of relieving himself or doing justice to others: having nothing but what arises from industry and manual labour, he is shut up in prison, there to pine away in want of the absolute necessities of life; and when sickness visits him, weighed down with anguish and a load of woe, he meets death with pleasure.

As soon as a poor man gets a little in debt, he loses his equilibrium, and is undone. When his family were in health, and himself employed, his wages were scarce sufficient to support him; how can he pay the trifle he owes? To what a deplorable state is such a family reduced! While they are groaning under poverty and disease, the husband is hourly in danger of being torn from his starving family, and plunged into a gaol, the horrid dread of which harrows his drooping soul with distracted thoughts and bitter anguish. At last the dreadful summons comes, and a sheriff's officer, with savage barbarity, drags him away from his pale, sickly and disconsolate wife, and weeping children. In vain do groups of half-famished infants cling about his knees to prevent his departure, while his distracted wife stands at a distance petrified with grief.

This

This child of sorrow, without one friend to whom he could impart his griefs, is conveyed to a spunging-house, originally intended for the benefit of the debtor, but now, by the abuse of that intended mercy, converted into a house of extortion and oppression.

To purchase some degree of humane treatment, and to avoid the morose barbarity practised in such places, he freely complies with the bailiff's exorbitant demands. The idea of a prison shocks him; and being still in hopes to settle with his inexorable creditor, he stays in the spunging-house 'till he can pay no longer, then he must leave one inhospitable mansion to be hurried to another, where his ears, formerly accustomed to hear the sorrowful lamentation of a tender and affectionate wife and hungry infants, are now stunned with the blasphemous yells of the drunken and riotous inhabitants. Here he has fresh demands to satisfy, and another Cerberus opens his devouring jaws to receive all he can obtain by his avarice and chicanery.

When the wretched prisoner has paid the demands at the lobby, he is conducted, if he has money to pay for it, to a dirty stinking room or ward, without one bit of furniture; there, upon the bare boards, he rests his wearied head, and endeavours to compose his distracted spirits; but even this humble boon he cannot obtain, on account of the noise, riots and drunkenness, so common in gaols.

Next morning he sends for the little furniture he had scraped together, and soon after has a melancholy interview with his disconsolate wife. They consult together what first to carry to a pawn-broker to raise a little money to purchase necessaries for themselves and children. In this way they go on pawning one thing after another, 'till they melt down and convert every part of their substance into money to support them while in confinement. At last grim famine forces him to the begging-grate, there to live upon the charitable donations of the public; and being unable any longer to pay the rent of his room, he is turned over to the common side, where many in the same situation with himself live crowded together in places much more unhealthy, and not much cleaner than a pig's-stye.

When by a resignation to his unhappy fate he has a little composed the disorder of his mind, and begins to feel his bodily infirmities, he wishes for medical assistance, but finds none.

Who would not drop a sympathetic tear, that such a bitter cup should fall to the share of a fellow creature? But humanity is the characteristic of this nation, whose hands are as ready to relieve as their hearts are to pity the unfortunate; therefore the unhappy prisoner, immured within the walls of a doleful mansion, could not lie always forlorn and neglected to feed on bitter tears, and waste away with sickness.

Pity

Pity at last stepped forth to cheer the broken heart---to dry affliction's tear, a good Samaritan appeared. Sir Charles Whitworth, chairman of the Westminster Charity, who is unweariedly occupied in plans of charity and public utility, proposed that I should visit the gaols in London, Westminster, and Borough of Southwark, to afford medical assistance to the sick prisoners. I readily agreed to the proposal.

The Public are indebted to him for many things of public utility, yet none deserve to be compared to the present plan of affording medical relief to sick prisoners. Nothing need be said to demonstrate the judiciousness and extensive utility of this charity. Pity could not perhaps have struck out a more merciful institution; and from this small beginning great good will no doubt arise, which will call down blessings upon the first promoters of it.

The committee approved of Sir Charles's proposal, and I received the following letter, directed to me.

WESTMINSTER CHARITY, March 25, 1776.

" The Committee resolved,

" That Dr. WILLIAM SMITH, of Red-Lion-Square,
 " be desired to visit the sick in the respective gaols and
 " prisons of London, Westminster, and the Borough of
 " Southwark, in order to administer proper relief; for
 " which a sum of money is appropriated by the above
 " Charity.

[Signed] C. WHITWORTH."

To the keepers of the several
 gaols, &c. in the cities of
 London, Westminster, and
 Borough of Southwark. }

To

To visit those dreary and loathsome mansions, where nothing but scenes of woe and horror present themselves to the view, was not a very delicate or pleasing undertaking. To behold some of my fellow creatures with drooping and dejected spirits, drowned in sorrow, with haggard look and sordid dress, indulge the gloomy thoughts which overshadow their storkened soul, while hunger gnaws the stomach, and anguish rends the heart; to hear the shackled felons rattle their horrid chains; to be exposed to the danger of infection from putrid air, occasioned by the stench of their dirty garments and diseased bodies, full of sores, and crammed upon one another in abominable filthy prisons, was not an employment that could afford much entertainment.

Struck with compassion for the miseries of so many unfortunate people, languishing under various disorders, in dens of filth and nastiness, I considered the proposal of visiting the gaols as a plan of the utmost utility, and accordingly determined to make the best use in my power of the present opportunity; and I can with truth declare, that as much attention has been paid to the sick in the different gaols under my care as could have been bestowed upon any private patient. I have visited each prison under my inspection twice a week, and sometimes oftener when there was occasion. For a month past there have been so very few sick, that I seldom had occasion to go above
once

once in six or eight days. At present there are only six persons sick in all the gaols I visit.

It is scarce to be credited that so much good could be done at so small an expence. Since the latter end of March, when I first began to visit the gaols, to the fourteenth of September, three hundred and eighty persons have been cured of various complaints, mostly of the putrid kind; six are now under cure; seven dead, three of whom died of the small-pox; two, I believe, are incurable, and were discharged by the late insolvent act; one still continues to take medicines by my direction, and is somewhat better; the other, with a broken constitution from intemperance, is far advanced in a dropsy, and was told not to apply to me, as I could be of no service to him.

I have omitted mentioning the names of the unfortunate people who have benefited from this charity, from a belief that the public would think it right not to hurt their delicacy by publishing their names; but I have kept a regular report of the sick in each gaol separately, with an account of the days of visitation, and the state of the patients each time. The report is divided into columns; one contains the number of sick, the second the name of the patient, the third an account of the disease, and the fourth, which was subdivided for each visitation, contains the state of each patient when visited.

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The reports of the cases, and the regular progress of the different cures, are in Sir Charles Whitworth's hands, who will satisfy any person desirous of knowing more particularly every case, and the name of each patient.

Were people sufficiently acquainted with the miseries which our fellow creatures suffer in gaols, it would force the gushing tear of pity to flow down the cheek of every person that has the least degree of humanity. But the spirit of charity and generosity is in no country so conspicuous as in England, where they need only to be properly informed where and how to exert these noble endowments, and none are certainly greater objects of compassion than sick prisoners.

Sickness in gaol heaps distress upon distress, until it becomes almost insupportable. It is impossible to describe their real sufferings. I only wish people would visit those mansions of misery, that they might see with their own eyes what their fellow creatures suffer; then they would be convinced that the account I give is not imaginary nor aggravated, but a melancholy matter of fact, which is too deplorable for ingenuity to paint it worse than it really is.

The thought of visiting a gaol is shocking to most people, and few have philanthropy enough to do it; therefore they have been suffered to run into the greatest disorder. This is not to be wondered at, when we consider what kind of people constitute the bulk
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of the inhabitants of such places, and to whose care they are committed, without any person to detect their abuses and expose their wickedness. It is well known what sort of people many of the jailors are ; and when such people are left to themselves, what else is to be expected but oppression, debauchery and confusion ? and how is this to be known ? People are as much afraid of a gaol as of a lion's den, and none go to it except when necessity compels. The unfortunate inhabitants, who know the truth of what is here advanced, while they remain in prison, are awed into silence by the haughty conduct and power of the jailor : when they obtain their liberty, they are in hopes never to return to the mansions of wretchedness and misery ; and being ashamed to have it known that they ever were in such places, they impose upon themselves a very culpable silence, and suffer the public to remain ignorant of the miserable sufferings of their fellow creatures languishing in gaol, deprived of liberty, and rendered still more wretched by illegal impositions and triumphant wickedness.

Besides the danger attending the visitation of gaols, few, accustomed to any degree of cleanliness, could bear the stench of such places, or stand the shock of such misery. Vagrants and disorderly women of the very lowest and most wretched class of human beings, almost naked, with only a few filthy rags almost alive and in motion with vermin,

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their bodies rotting with the bad distemper, and covered with itch, scorbutic and venereal ulcers; and being unable to treat the constable even with a pot of beer to let them escape, are drove in shoals to gaols, particularly to the two Clerkenwells and Tothil-fields; there thirty, and sometimes near forty of these unhappy wretches are crouded or crammed together in one ward, where in the dark they bruise and beat one another in a most shocking manner.

In the morning, before the turn-keys attempt to open the doors of the different wards, which are more like the black hole in Calcutta than places of confinement in a Christian country, they are obliged to drink a glass of spirits to keep them from fainting, for the putrid steam or myasma is enough to knock them down. They are very frequently seized with such violent reachings, that nothing will lie upon their stomachs. The reaching, which arises from the putrid steam they swallow, continues sometimes after repeated emetics. When the turn-keys are so affected by only opening the doors, what must the miserable wretches, confined the whole night in such putrid hot-beds of disease, suffer!

There is rarely in a gaol any complaint that is not of a putrid nature, or soon acquires a putrid tendency, except itch, venereal infection, pleuretic and other inflammatory disorders from intoxication. In Clerkenwell and Ludgate, rheumatic complaints are very common from the dampness of those places.

If a patient has the most putrid infectious complaint, in most of the gaols there is no sick ward for him; he lies amongst the rest of the prisoners, and some of them may, perhaps, be forced to lie within a few inches of his mouth, to receive the strong infectious steam immediately from his lungs. I have often wondered that the plague does not break out from the gates of prisons, and sweep off promiscuously all before it. To poison persons by the noxious effluvia of their own bodies, and by the abominable filth and nastiness of prisons; to suffer people to lose their lives for want of sufficient room to breathe in; to deny them fresh air, the common bounty of heaven, upon which life depends, and to which rich and poor, good and bad, have an equal title, is the most wanton cruelty ever exercised upon the unfortunate, is a disgrace to human nature, and a reproach to this country. One would be tempted to think, from our present method of treating prisoners, that the loss of a subject to the state was not an object worthy the attention of the legislature. Their miseries and wickedness do not warrant their being poisoned. Punish them for their crimes, but do not massacre them without either law or justice. Who would not shudder at the thoughts of a fellow creature wantonly condemned to suffer by infected air, and denied the common benefit of heaven?

Who can make brick without straw? What physician can preserve health in a putrid air?

Pure air is one of the greatest sources of health, and in an impure state it is the most pernicious to the health of every living creature. Wherever great numbers are crowded together in nasty, confined, unventilated places, which is the state of most of the gaols I have visited, the air is unwholesome, and produces many diseases; and if pure air be necessary for the healthy, it must be much more so for the sick.

Want of cleanliness is almost an universal evil in gaols, and is the source of much sickness. Many of the diseases amongst the common people out of prison arise from nastiness; therefore the strictest attention ought to be paid to cleanliness, particularly in gaols; but by the present construction of them, and our mode of imprisonment, filth and nastiness are unavoidable.

With the allowance of a penny loaf a day, a wretch clothed in rags, eat up with vermin, tortured with scorbutic, rheumatic, and, for the most part, venereal pains, his body full of sores, and loaded with fetters, which is a barbarous, and, perhaps, illegal custom, often falls a victim to cold, hunger, and disease. And in general the felons live better than the poor debtors; if they have money to pay, their irons are knocked off, for fettering is a trade by which some jailors derive considerable emolument.

That there is a mixture of generosity and some traces of goodness in some of the most wretched and abandoned of the human species, appears

appears from the felons sharing their food with one another. Those that are connected with gangs fare well, and have great command of money; the rest of the gang that are at large supply them plentifully, and send them a share of their daily spoils. But the wretch unconnected with a particular gang, who has no receiver, is in a deplorable state indeed.

The receiver of stolen goods supports his customers in gaol with the rarest and most expensive things, and sometimes allows them two or three shillings a day; and if they are experienced hands and good customers, they will spend fifty pounds in endeavouring to save them; but when they are condemned to two or three years imprisonment, their friends soon get tired of them; then they are in a miserable condition, their rags so much wore as to be insufficient to cover their nakedness; and upon the gaol allowance many of them must yearly perish in Newgate, &c. if they did not share their food with one another. Mr. Akerman, well known for his humanity, saves many of them from death.

When a person, brought low by hunger, and confined in such infectious places as our gaols are at this time, is seized with any disease, as a putrid fever, what hopes can be entertained of his recovery? And when the danger is over, it is well known that many have died from the want of some comfortable nourishment; for wholesome nourishment, after the violence of the disorder is removed,
will

will do more sometimes to recover the patient than all the medicines in the apothecary's shop. An allowance of four or five pounds a year to each gaol for a little nourishment, or a glass of wine occasionally, would be of great use to the sick.

People hacknied in office are too often so unmoved and inattentive to the miseries of their fellow creatures, that they act as if they were really indifferent with respect to the preservation of the unfortunate: they inclose themselves within the magic circle of custom, and out of the beaten track they will not act. The frequent opportunities they have of viewing the depravity and miseries of their fellow creatures should beget in them a very different way of thinking. They may perhaps say that their wicked and abandoned course of life has brought on their present sufferings; it may be so; yet they should remember, that disease, cold, famine, nakedness, a contagious and polluted air, are not lawful punishments in the hand of a civil magistrate, nor has he a right to suffocate, poison, or starve his fellow creature, though the greatest of criminals. The hungry should be fed, the naked clothed, and the sick should have medical assistance, and all should enjoy pure and healthy air, and some space for exercise to preserve health.

The justices think that they have discharged the trust committed to them when they separate unworthy members of society from the people by sending them to gaol; the judges
think

think they do their duty in trying them, and directing their punishment. The lord mayor and sheriffs are only temporary magistrates, who with the indispensably necessary duties of their office and their own private affairs, find their time so much engaged, that they have few leisure hours to enquire into things not immediately before them in the rotation course of business. The judges also are too much engaged to enquire into the state of gaols; and when the court directs a gentleman to visit the prison, and examine into the internal government, he is deceived, and kept from a true knowledge of it by the art of the jailor and his turnkeys, who fabricate a certificate of their own good behaviour and proper management of the prison, and get some of their dependents to sign it. This they present to the visitor as the voice of the prisoners, who are afraid to make known their real grievances. The visitor takes it for granted that all is well, and thereby makes an erroneous report to the court.

The feelings of nature revert with horror at the thought of any negligence in a trust of this nature; and to see mankind capable of such depravity, to oppress their fellow creatures under such circumstances, and to become blood-suckers to prey upon the vitals of the indigent and miserable, is shocking.

The engine, which jailors make use of to keep their dejected slaves silent, and which is very dreadful to a poor man, is arbitrary exactions

tions under various pretences. Some have been obliged to sell their cloaths to satisfy the demands of the lobby; while others, unable or unwilling to comply with such extortion, have remained prisoners for a considerable time with their discharges in their pockets. No act of parliament, rule of court, or mandate of magistrates, will avail against the avarice, extortion and barbarity of gaolers; and if their fees are not utterly abolished, regulations of every kind will prove insufficient, and even inspectors will find it a difficult task faithfully to discharge their duty. What will not artful villainy, armed with power of such a nature, not do? I do not accuse all gaolers; on the contrary, some, no doubt, make a conscience of doing their duty as far as the present laws and regulations enable them.

The baneful effects of our present gaol police are diffused far and near, and some speedy remedy is absolutely necessary. It is a mortification in the very vitals of the constitution, and a reformation in this particular would necessarily produce many beneficial consequences with respect to the establishment of a salutary police in general. Every individual is interested in forwarding such a plan; for at present our prisons for debtors are places of extortion, oppression, distress and debauchery. And our felons are too much neglected from their commitment to their punishment, and are confined in places where filth and nastiness accumulate to a degree threatening contagion.

Our

Our gaols are by no means sufficiently large, nor properly divided into apartments to accommodate the number of prisoners sent to them; they are become nurseries for thieves and prostitutes. Shall we then neglect to remedy such grievous calamities? Shall we starve and poison our fellow creatures, continue inattentive to the rational means of correcting and reforming the abandoned, and suffer them to perish by their own wickedness, because they have been so long neglected? No! every impulse of the heart, every dictate of the understanding, every precept and principle of Christianity, call loudly upon us to represent those evils, which stand so much in need of amendment.

The benevolent Mr. Howard has taken an infinite deal of pains to come at a perfect knowledge of gaols, and will soon publish his discoveries, which cannot fail to awaken the attention of the legislature, and prevail upon them to apply some effectual remedy for so alarming grievances. For what national object can with more reason claim the attention of the public, or engage the wise councils of a British senate? What can be of greater consequence to a nation, or greater glory to a king, than to prevent the wretched from being still more so, to reclaim the profligate and abandoned, and to render them useful members of society, to defend the lives and liberties of the innocent, and to make the criminal's punishment contribute to the general good of society?

The legislature cannot devote a part of their time to a work more advantageous to society, more humane and benevolent in its nature, than a thorough reformation of the police of gaols. That part of the police has been hitherto so little attended to in this kingdom, that they have run into a state of confusion, and present to the view such a picture of misery and wickedness, as certainly would not have been so long permitted in a Christian country, if the legislature had been earlier made acquainted with the subject. A bare narration of facts would have excited their attention to endeavour to apply a remedy for such abuses. To their humanity and discernment this matter will no doubt be soon referred, and from their wise deliberations the public may expect regulations of very great consequence to every individual, as all ranks of people are concerned in it.

Compassion for my fellow creatures, and a desire to serve the public by giving a true account of the miserable state of the prisons which have come under my inspection, by laying before them the unwarrantable transactions and cruel oppressions under which prisoners at present groan, without any prospect of relief but from a parliamentary enquiry and interposition, were the motives for this publication, which was at first drawn up for the use of the committee, to let them know how far their charitable intentions had been answered by the application of the money appropriated

appropriated for the payment of the apothecaries bills for medicines sent to sick prisoners under my care. The public at the same time will be convinced, from the experiment their compassionate donation has enabled me to make, what good will arise from a permanent establishment for the relief of sick prisoners. Such an institution speaks to the heart of every feeling man; humanity pleads for it, and justice steps forth its advocate. Till so desirable and happy an end can be accomplished, if a temporary subscription be thought necessary to continue this charity, and to extend it to the sick confined in county gaols, the public will no doubt reach out their generous assistance.

The 28th of March, 1776, I began my visitation of the gaols in and about London, to afford medical assistance to the sick, to see in what state they were with respect to fresh air and cleanliness, and to observe whether the regulations directed by several acts of parliament were observed. I was guided in my observations by the following clauses of the different acts.

By the 22 and 23 Car. II. cap. 20. and 32 of Geo. II. the lord chief justices, lord chief baron and justices of the peace, in their several jurisdictions, and all commissioners for charitable uses, are directed to do their best endeavours and diligence to examine and find out the several legacies, gifts and bequests bestowed and given for the benefit and advantage of the poor prisoners for debt, in the several gaols and prisons

in this kingdom; and to send for any deeds, wills, writings and books of accounts whatsoever, and any person or persons concerned therein, and to examine them upon oath, to make true discovery thereof, and the same so found out and ascertained, to order and settle in some manner and way, that the prisoners hereafter may not be defrauded, but receive the full benefit thereof, according to the true intent of the donors. That the rates of fees and government of prisons be signed by the lord chief justice, &c. and hung up in some conspicuous place in every gaol, fairly written, where the prisoners may have easy resort thereto without fee.

These two clauses are confirmed or repeated 2 Geo. II. where it is further enacted, that gaolers shall permit prisoners to send for victuals from what place they please, and to have such bedding, &c. as they shall think fit; that none but lawful fees be taken of prisoners, and a table to be made of the fees, and to be hung up in every gaol; that the courts at Westminster every Michaelmas term enquire after the fee and orders, and at the assizes to give such inquisition in charge to the grand jury.

In the 2d of Geo. II. there was a committee appointed by the House of Commons to enquire into the state of the gaols in this kingdom, and report the same, with their opinion thereon, to the house. Mr. Ogleshorpe, from the committee appointed to enquire into the state of the gaols, made several reports of
many

many grievous abuses practised in the Fleet, Marshalsea, and King's Bench; in consequence of which many useful regulations were enacted.

By the 24 Geo. II. cap. 40. No licence shall be granted for retailing spirituous liquors within any gaol or prison; and if a gaoler shall sell, lend, use or give away, or suffer the same, he shall forfeit an hundred pounds. And a copy of the three clauses in the said act shall be hung up in each gaol, on pain of the gaoler forfeiting forty shillings.

By the 43 Eliz. cap. 2. 11 Geo. II. cap. 20. and 12 Geo. II. cap. 29. The justices in Easter sessions shall set down what sums shall be sent out of every county or place corporate, for the relief of the poor prisoners of the King's Bench and Marshalsea, so as there be sent out of each county yearly twenty shillings at the least to each of the said prisoners, to be paid by the high constables out of the general county rate, to two such treasurers, or one of them, as by the more part of the justices of the county shall be elected to be treasurers; which treasurers, on the first day of Trinity-term yearly, shall pay over the same to the lord chief justice of England and knight marshal, or to whom they shall appoint, taking their acquittance for the same; or in default of the chief justice, to the next most antient justice of the King's Bench, equally to be divided between the prisoners of the King's Bench and Marshalsea prisons.

By

By 14 Geo. III. cap. 59. The walls and ceilings of the several cells and wards, both of the debtors and felons, and also of any other rooms used by the prisoners in their respective gaols and prisons, where felons are usually confined, to be scraped and white-washed once in the year at least; to be regularly washed and kept clean, and constantly supplied with fresh air by means of hand ventilators or otherwise; two rooms in each gaol or prison, one for the men and the other for the women, to be set apart for the sick prisoners, to be removed into such rooms as soon as they shall be seized with any disorder, and kept separate from those who shall be in health; a warm and cold bath, or commodious bathing-tubs to be provided in each gaol or prison, and the prisoners to be washed in such warm or cold baths or bathing-tubs, according to the condition in which they shall be at the time, before they are suffered to go out of such gaols or prisons upon any occasion whatever. This act to be painted in large and legible characters upon a board, and hung up in some conspicuous part of each of the said gaols or prisons. An experienced surgeon or apothecary, at a stated salary, to attend each gaol or prison respectively, who shall report to the justices by whom he is appointed, at each quarter sessions, a state of the health of the prisoners under his care or superintendance. Cloaths to be provided for the prisoners when the justices see occasion. That the justices prevent
prisoners

prisoners from being kept under ground, whenever they can do it conveniently; and to make such other orders, from time to time, for restoring or preserving the health of prisoners as they shall think necessary. And if any gaoler or keeper of any prison shall at any time neglect or disobey the orders of such justices, made in pursuance of this act, he may be proceeded against in a summary way.

Apothecaries are appointed for some of the gaols, but their salaries are greatly too small to enable them to do justice to the sick under their care. With the present allowance I declare they cannot afford attendance and the medicines absolutely necessary to one half of the sick. When I first visited the gaols, I found some of them so sickly, that they appeared more like hospitals for sick patients than gaols for prisoners. When I expressed my surprize that they should undertake such a charge with salaries so inadequate, they told me that if they refused, others would do it, therefore they did as much service as they could, but had daily reason to be sorry to find they were able to do so little; and that an application from them would, they said, avail little. What a shame is it that the profits of a gaoler should be from one to several thousand pounds, while many of the prisoners have not the absolute necessities of life, and pine away in sickness, without the means which Providence has appointed for their relief! Is this Christianity? Do we entirely forget

forget that we are brothers, created by the same God for the same end? But I leave to the reader that, which to tell him were superfluous.

The liberty of hampering a felon with irons, can only be intended where the officer has just reason to fear an escape; as where the prisoner is unruly, or makes an attempt to that purpose; but otherwise, notwithstanding the common practice of gaolers, it seems altogether unwarrantable, and contrary to the mildness and humanity of the laws of England, by which gaolers are forbidden to put their prisoners to any pain or torment. *Hale's History*. And Lord Coke, 2 Inst. 381. is express, that by the common law it might not be done. 1 H. H. 601.

Felons are for the most part in bad habit of body, and their irons frequently occasion sores, which are very troublesome to cure; therefore fetters should be used as seldom as possible.

Having mentioned some of the principal acts and regulations respecting gaols, I shall now give a short account of the following.

T O T H I L F I E L D S.

No charities or charitable donations belong to this gaol. No act of parliament, &c. is hung up. The following written order of court is pasted up: Gaol fees 4 s. 2 d. Key 1 s. Copy of commitment 1 s. 4 d. Night charge 1 s.

From

From the Court at Guildhall, and signed by order of Court, January 1772.

The rooms and wards have been once white-washed since the act of 14 Geo. III. The walls and ceilings are not carefully washed, scraped, and white-washed. No ventilators, and little occasion for them, as the prison is airy and well situated, though too small for the number of prisoners. There are only 16 wards, of which 5 are single rooms for apprentices. All the wards are boarded. No furniture, beds, &c. allowed, except at the private expence of the gaoler. There are sometimes 150 prisoners confined in this gaol at one time. The sick have no separate room. There are no baths or bathing-tubs. An apothecary calls occasionally, particularly before the quarter sessions, to report the state of the sick to the justices. Forty-five prisoners have been cured, and four are now under cure.

The prisoners in this gaol are a miserable set of objects; some of the very lowest order of abandoned women, covered with filth and vermin, eat up with the bad distemper, and broke down by every species of intemperance. Debtors, felons, fines, and disorderly people, are all huddled together. The apprentices sometimes amuse themselves at beating hemp.

The inconveniencies (according to the present regulations) attending this gaol in common with others which I have visited, are a want of a certain adequate allowance of food, more regular medical attendance, a sick ward,

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some cloaths or covering for those that come in almost literally naked, some little allowance for necessaries which cannot be called medicines; a clergyman to read prayers, frequent lime-washing and painting, more space, more divisions and subdivisions to save prisoners from themselves, &c.

There is in this gaol such a constant fluctuation, some going out, while others are brought in, that it is impossible to keep it free from itch, filth and vermin; but by enlargement and proper regulations, it is capable of being rendered very airy, clean and healthy.

The present keeper is a sober, careful, and pious man; reads prayers and exhorts the prisoners every day, and sometimes oftener: by such a conduct he tames the fierce and abandoned savage, and makes those hardened wretches preserve a decent deportment, which is a very rare thing in most of the other gaols, where they appear like so many disorderly fiends, cloathed with wickedness, and steeled with daring effrontery. He complains that it is out of his power to keep them from rioting and drunkenness, particularly on Sunday, when numbers of their friends and associates come to them; and wishes that an order of Court was made to forbid every person coming to a gaol upon Saturday afternoon and Sunday, except the clergyman and physician.

GATE-HOUSE,

Shut up, and nearly pulled down.

NEW

NEW GAOL, SOUTHWARK.

In this prison there are 10 wards for felons, and 7 for debtors, and between 90 and 100 felons and 30 or more debtors sometimes confined. The act of 14 Geo. III, an account of charities from 1555 to 1726, dated 1742; also a table of fees dated 1772, and the clauses of the act against spirituous liquors are hung up. No furniture, beds, &c. are provided for the prisoners. The men and women, debtors and felons, are properly separated. There are two bathing-tubs, and the wards were white-washed in January last; but being lined with wood, it would have answered better to paint them green. Each prisoner has 1¹/₂ d. loaf a day. A clergyman faithfully attends, and takes great pains to give the felons a sense of their crimes. An apothecary carefully attends, but there have been few sick since I began to visit. The gaol is pretty clean and airy. A decent place for a chapel, more space, divisions, subdivisions, &c. are wanting.

MARSHALSEA.

In this prison there are no baths or bathing-tubs. Few of the rooms are white-washed; no act hung up; nor is any other regulation of 14 Geo. III. observed. There is no table of charities. There are 54 rooms on the master side, and 6 large rooms on the common side, many of them with hardly a pane of glass in the

windows: in one room 13 prisoners have been confined; sometimes 340 prisoners are shut up in this gaol. A clergyman reads prayers once a day on Sunday, and an apothecary, appointed by the keeper, attends: both are paid out of the fees, a table of which is to be seen in the deputy keeper's room. Eighty-five prisoners have been cured during the time I have visited this gaol. No felons, except pirates, are confined here. Several prisoners occupy rooms, who might have taken the benefit of the last insolvent act; and one prisoner has been eighteen years in gaol, which is very inconvenient when the prison is crowded, and many obliged to lay in one room. The place is in bad repair, and the stairs so dark and ruinous, that it is dangerous to go up and down without a candle. The deputy-keeper is pretty attentive to prevent riots and confusion as far as he is able, and the prisoners give some proofs of his humanity; yet there are grievances which ought to be looked into.

There is a constant fluctuation in the Marshalsea; most of the prisoners are confined for small sums, and seldom remain long. More useful manufacturers and ingenious artists and their families are distressed, and even ruined by litigious suits, frequent arrests and imprisonment from the Marshalsea court, than from any other court in the kingdom. Ten thousand writs are supposed to be yearly issued out of its office in Clifford's-Inn, and above one thousand persons enter in a year into that old ruinous

ruinous prison. Ten thousand writs may cause the distress, even ruin, of fifty thousand subjects in a year, including husbands, wives, children, relations, &c. If one inferior court issues such a number of processes, what must the destructive and fatal consequences of probably fifty or an hundred thousand writs from all the superior courts and other offices be, for that barbarous and impolitic purpose of arrests and imprisonment?

WHITE-CHAPEL.

In this gaol there is no act, except a written copy of the clauses in the act against spirituous liquors, hung up. A written table of fees is hung up, and signed by George Garred, keeper. In every prison in and about London the prisoners take garnish, and are, I believe, encouraged in this practice by the tap-keeper, because the money is spent in beer. In this prison there is a written order, that if any prisoner refuses to pay two shillings and tenpence halfpenny as garnish, he shall have his property taken from him, and lodged in the keeper's hands until the same be paid.

In this prison every regulation in the act of 14 Geo. III. is neglected. There are no charities or charitable donations belonging to it. The number of prisoners seldom exceeds forty. On the common side there is one large room for the men, and another for the women. Both rooms are lined with wood, airy, and

and tolerably clean. On the masters side there are four small rooms. No felons are sent here, and none can be arrested under 40 and above 99 shillings. There is no furniture allowed. No clergyman or apothecary attends. No prisoner has been sick since the first of April. Whitechapel is the prison of the Baron Court of Stepney and Hackney, and is private property. A court is held every Thursday, and a regular one once in six weeks.

TOWER LIBERTIES.

This gaol is old, ruinous, and insufficient for the confinement of prisoners.

LUDGATE.

In this gaol there is no white-washing, scraping, &c. no sick ward, no baths or bathing-tubs, no medical assistance. The act of 14 Geo. III. is not hung up, but the clauses of the act against spirituous liquors, and a table of fees, are. A book of orders for the civil government of the prison, signed by the sheriffs, a book of legacies and charities, and a daily minute-book of the transactions relative to the prison, are kept by the gaoler. A clergyman officiates on Sunday, and carefully visits the sick. The charities amount to 55 or £.60 a year, besides a sixpenny loaf and ten stone of beef weekly. There are two wards and eleven rooms. The number of prisoners

prisoners seldom exceed 45. No felons are committed to Ludgate. It is under the jurisdiction of the lord-mayor and court of aldermen. Here the tap-room is shut up at ten o'clock every night. The place is clean, and the rooms pretty well aired, though the situation is damp and unhealthy. The prisoners are frequently seized with rheumatic pains and fevers, which are sometimes very tedious and troublesome to cure, and when cured the patient is very liable to a relapse. Twenty-five have been cured of complaints mostly of the rheumatic kind. The keeper and turnkey are very careful people, and preserve great order and regularity. The clergyman is a humane good man, and much esteemed by the prisoners. There is sometimes a scarcity of water.

WOOD-STREET COMPTER.

The table of fees and the act against spirituous liquors are hung up, but the act of 14 Geo. III. is not, nor are any of the regulations in that act for preserving the health of prisoners observed. There are 61 rooms and 14 wards. The number of prisoners from 260 to 300. The prison is dark, confined, ill-aired, and full of filth and vermin. There are no proper divisions for men and women, debtors and felons. This gaol is in a very ruinous state. The physician of the London Dispensary attends the sick, and very humanely supplies them with medicines from the Dispensary.

POULTRY

POULTRY COMPTER.

There are no baths or bathing-tubs, no white-washing, scraping, &c. and no medical attendance; no act is hung up, and the table of fees is in the chapel. There is one sick room, but it is so much out of repair, that the sick cannot be put into it. On the common side there are six wards and four rooms. Besides the strong room, there are three wards for felons. On the master's side there are fourteen rooms with beds, &c. belonging to the keeper, who has also an apartment. Before the late insolvent act there were about seventy debtors, and there are at this time from 20 to 28 felons. The prison is very dirty, old, confined, and extremely unhealthy. Eighty-nine have been cured, some of very dangerous putrid fevers, and one lies extremely ill of a putrid fever. Out of the number of sick one only died. A madman, who was a crown prisoner, and could not take the benefit of the act of insolvency, nor could be got out, was shut up in the strong room, where he lay naked, having tore his cloaths, and died suddenly.

When I first visited this gaol, the prisoners were very sickly, and a putrid fever seemed to threaten great destruction. Few were free from itch, scurvy, venereal complaints and vermin. Filth and nastiness covered the place and its wretched inhabitants. Men and women, felons and disorderly people, are crammed together in one ward in the day, and at night lie on

on dirty boards in filthy holes almost unfit for swine. In this prison riot, drunkenness, blasphemy and debauchery, echo from the walls; sickness and misery are confined within them.

CLERKENWELL BRIDEWELL.

This prison is in most respects rather worse than the Poultry. No white-washing, scraping, &c. Neither the act of 14 Geo. III. nor the clauses against spirituous liquors, hung up. No charities or charitable donations belong to this prison. The table of fees is hung up. The apprentices cells have been once white-washed since the act for preserving the health of prisoners passed. There are twelve wards, one half for men, and the other for women; six rooms for apprentices in the day, and as many for them to sleep in. The number of prisoners seldom exceeds 180. The wards are dark, dismal, and want air. There are no ventilators nor bathing-tubs. To attempt to wash and keep clean the ragged miserable crew that are sent to the two prisons of Clerkenwell, would be fruitless, except they are first stript of their nasty rags, and cloathed in some uniform dress. The sheds under which the prisoners shelter themselves in the day, are low, narrow, damp, and confined. The gaol is repairing, and to be enlarged. Men and women are separated by a brick wall; but debtors from the Court of Requests, commonly called the Court of Conscience, and from the

Tower Hamlets, are sent to Clerkenwell, where they are mixed with the felons and disorderly people. There is no sick ward; all are huddled together, and crammed upon one another in the greatest confusion. Mr. Gibbes, a humane and very ingenious apothecary, attends Clerkenwell and New Prison; and the same clergyman officiates at both places.

NEW PRISON.

The table of fees and clauses of the act against spirituous liquors are hung up. There are no legacies or charitable donations belonging to this prison. Sometimes a guinea is sent by an unknown hand about Christmas, and a chaldron of coals from another unknown hand about the same time. A shin and leg of beef and two quartern loaves are generally sent once a week. No bath or bathing-tubs, nor is any other regulation of the act of 14 Geo. III. for preserving the health of prisoners, here observed. The act is not hung up. There are six wards for men, and two large and five small wards for women; two rooms for disorderly people committed by the constable for the night. This gaol is not yet finished, tho' it was begun to be rebuilt three years ago. The wards are large, airy, and lined with wood, and the stairs of stone. The chapel, not yet finished, is designed for the use of both gaols, and has two divisions, two galleries and four doors, one for the men of each prison, and one for the women. The men and women

men are separated by a brick wall. The sheds where the prisoners creep into in the day are low, damp, and unhealthy; the rest of the prison is large, airy, clean, and very completely finished, but upon the present destructive plan of congregating prisoners together. Mr. Barnfather, a very worthy and humane gentleman, has taken a great deal of trouble to inspect the building of this prison.

The prisoners in this gaol, being mostly felons, are in better plight than in the old prison. The observations made upon Tothillfields are applicable to the two prisons of Clerkenwell, with only this difference, that the prisoners in the two Clerkenwells are more afflicted with rheumatic than putrid fevers. In both places nothing is to be seen but cold, hunger, misery, vice and disease. In no gaol where I have been have the felons, delinquents and disorderly people, even a handful of straw to lie upon, but are crammed together like sheep in a fold, and even in a worse condition, for sheep have their straw to lie upon.

Congregating prisoners together is the rock upon which many souls are shipwrecked. No communication can be so bad for a petty thief as a great one, therefore the petty criminal should be guarded with the utmost care from the poisonous breath of wretches more abandoned than himself. For what sort of conversation can there be amongst such people? Such communication trains up many to the gallows, and lets loose a multitude of thieves

more completely versed in the art of thieving than they were at their first commitment. By such means they form into companies, and become more formidable to society.

BRIDEWELL, ST. GEORGE'S FIELDS.

In this prison the act of 14 Geo. III. the clauses in the act against spirituous liquors, and a table of fees, are hung up. There are two bathing-tubs, and one room appropriated for the sick, who have an apothecary occasionally to visit them. Eight sick persons have been cured under my care. None are sick at present. There are six wards for the men and five for the women, all lined with wood. One ward for apprentices, walled off from the rest of the prison. The number of prisoners seldom exceeds forty-three. There are no charities and charitable donations belonging to Bridewell, St. George's Fields. Delinquents and disorderly people, fines for sessions, &c. are sent here, where some of them are sentenced to ten years imprisonment. From cold and hunger they suffer much. Each prisoner has 1 $\frac{1}{2}$ d. loaf a day. The men and women are very properly separated, but there is still too little space, too few divisions, and the wards are not kept clean. At a small expence this prison might be made very complete for the punishment of delinquents and disorderly people. No debtor or felon should be sent to any of the Bridewells.

In

In this and the other Bridewells they sometimes amuse themselves at beating of hemp: as to the quantity of work done, it seems to be a mere farce. The gaolers complain that they find great difficulty in procuring hemp, as there are machines invented which beat it so expeditiously. If the government had a warehouse to supply the Bridewells with raw flax, as it is taken from the ground, it would be a great saving to the nation, and employ a number of hands.

BOROUGH COMPTER.

The clauses in the act against spirituous liquors, and the following order, are hung up.

“At the general quarter sessions of the peace of our Sovereign Lord the King, holden for the town and borough of Southwark at the Court-house on St. Margaret's Hill within the town and borough, on Friday the 8th day of January, in the twenty-first year of the reign of our Sovereign Lord George II. before Sir Robert Ladbroke, Knt. lord-mayor of the city of London, John Stracy, Esq; recorder of the city, and other of the fellow justices of the said Lord the King; and also to hear and determine diverse felonies, trespasses and other misdemeanours committed within the said town and borough. It being represented to this court, that the fees of the gaoler or keeper of the Borough Compter, in regard to prisoners charged therein with any criminal matter, remain

remain yet unsettled, for want whereof diverse impositions may accrue to poor prisoners therein; for settling and establishing the same, It is ordered, that the keeper or gaoler of the said prison shall or may take of every prisoner so charged as aforesaid the following fees, and no more; that is to say, For admission of every prisoner for felony, trespass, assault, or other misdemeanour, 11 s. 4 d. For every night's lodging, 6 d. To the turnkey for the dismissal of every such prisoner, 1 s. For every person brought by a peace officer for safe custody until hearing can be had before a magistrate, 2 s." There are nine wards for the men and two for the women, and sometimes sixty or more confined in this prison. There is no table of charities, but 65 penny loaves are sent to the prisoners every 8 weeks. Felons and debtors, men and women, are all jumbled together. No clergyman, no medical attendance, no baths or bathing-tubs; the act of 14 Geo. III. is not hung up, nor is any regulation in that act for preserving the health of prisoners observed. Fourteen sick prisoners under my care have been cured, and one now takes medicines. The prison is ill-aired, dirty, unhealthy, old, and so ruinous, that I think there is great danger of its falling, and burying the wretched inhabitants in its ruins. This prison extends its jurisdiction over five parishes. The bailiff of the Borough is the head keeper, and is appointed by the lord-mayor and court of aldermen. Three
 attornies

attornies belong to this court. The lord-mayor, recorder, and sheriffs, hold a quarterly court, and have power to banish, burn in the hand, and condemn to the pillory. A justice of the peace sits every Monday at the Bridge-Yard, to examine and commit. The steward's time of coming is uncertain; sometimes he is absent a considerable time. The prisoners do not receive their groats by the regular return of terms as at the King's Bench, and some complain that they sue for them long before they receive any thing. No prisoner under a debt of £.10 can be removed from the Borough Compter to any other gaol by a *habeas corpus*. All these lesser gaols should be abolished, and an uniform code of laws framed for the police of all gaols; for the laws of a kingdom ought to be general and uniform in a well regulated state.

NEW PRISON, NEWGATE.

This prison is not yet finished. There is no act hung up; no baths or bathing-tubs. A surgeon attends regularly. This gaol is filled with nasty ragged inhabitants swarming with vermin, though Mr. Akerman, the keeper, is extremely humane, and assiduous in keeping the place as wholesome as possible. The New Prison of Newgate is built upon the old principle, of a great number being crowded together into one ward, with a yard for them to assemble in the day, and a tap-room where they

they may get drunk when they please, and have money to pay. The wards are large, airy, high, and as clean as can well be supposed where such a motley crew are lodged. The cells for the condemned prisoners are dark, unhealthy, and unfit for the purpose. The situation is more unhealthy than where the old prison stood. An immense sum of money has already been laid out, and it will require much more to finish it. Strength is not the only thing necessary to be attended to in the construction of a gaol; the situation should be high and dry, in an open field, and at a distance from a town; the building spacious, to obviate the bad effects of a putrid accumulation of infectious air, and extended in breadth rather than height; the wards should have many divisions to keep the prisoners from associating.

Even within this rock of strength the barbarous *trade* of fettering is continued, where there is no excuse, or shadow of excuse, for it. The practice should be utterly abolished, and no gaoler should have a power to put double, heavy or light irons, or any at all, according as the prisoner's purse is heavy or light. If the walls and gaoler cannot prevent an escape, the one should be demolished for its weakness and insufficiency, and the other discharged for his negligence. The infamous trade of chains is a disgrace to the nation, humanity and civilization, especially before conviction.

The

The numbers that are ill and die by means of impure and corrupted air are much greater than is imagined; therefore where many are crowded together in one place there is an absolute necessity for a sufficient quantity of fresh air. The earth was made for us all; why should so small a portion of it be denied to those unhappy creatures, while so many large tracks lay waste and uncultivated?

FLEET PRISON.

In this prison the clauses in the act against spirituous liquors, a table of fees, charities, and rules of court, are hung up. There are 100 rooms, and sometimes 350 prisoners. No bath or bathing-tubs, no white washing, no sick-room, no medical attendance, &c. The act of 14 Geo. III. for preserving the health of prisoners and preventing the gaol distemper, is not hung up, nor any of the orders of the said act observed. This act is much neglected every where, as nobody is appointed to see it obeyed, and no penalty is annexed to the omission of it. This prison is rather too small and confined; if the old houses in the front were pulled down, it would then be very airy. The stairs are very dirty, and every one preserves that degree of cleanliness in his own room which satisfies himself. In the Fleet 78 patients have been cured under my care, and one is now under cure. The rooms upon the ground floor are dark, damp, and unhealthy.

Amongst the grievances common in most gaols, the prisoners in the Fleet made an application some time ago to the Court of Common Pleas for redress of some particular grievances, specified in their petition. The heads of the articles of complaint were, that the warden of the Fleet had granted for a term of years a lease of sundry public and private rooms; as the tap, cellar, public kitchen, public beer-room, public wine-room, and about 17 other private rooms, to the tapster, who refuses the use of the public wine-room, and lets the private ones at an exorbitant rent; that a table of fees was not hung up; that a free inspection of the books relative to the commitment, discharge, and proceedings against prisoners, which by the rules are to lay in the public office of the clerk of the papers for the inspection and copying without fee, was refused; that the kitchen of the common side prisoners was not used as such; that there was not a constant supply of water; that the rules then hung up were not legible; and that there was no place of meeting for the committee, chosen from amongst the prisoners for the quiet and peaceable government of the house amongst themselves, and to keep the same clean and wholesome.

In this gaol gaming and drinking spirituous liquors are not so much practised as at the King's Bench, and the turnkeys are pretty careful to prevent spirituous liquors from being brought in, but the prisoners may drink

as much beer as they please, quarrel when they have a mind, and afterwards settle their disputes as they can. The ashes, dust, &c. are seldom removed till they are collected into a very large quantity, and become exceeding offensive. Upon the whole, there is much greater order, decency and sobriety observed in the Fleet than in the King's Bench, though there are few hours of the night without riots and drunkenness. The warden is said to be a humane man, but not unwilling to make hay while the sun shines,

KING'S BENCH.

In this prison there are no baths or bathing-tubs, nor is any regulation of the act of 14 Geo. III. observed. The said act is not hung up. Rules and orders for the better government of the King's Bench prison, made and signed the 25th of November, 1729; further rules, orders, &c. dated the 10th of May, 1759; and a table of fees settled and established the 16th of June, 1760, pursuant to an act for the relief of debtors with respect to the imprisonment of their persons, are hung up. The common side prisoners have a building called the Court-house, containing three large rooms; they have likewise 24 separate rooms belonging to them. Twelve rooms are appropriated to the Crown prisoners. The State-house contains 12 rooms, which no prisoner is permitted to occupy without money. No beds

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or furniture are in these rooms. In the old buildings on the masters side there are 84 rooms, and in the new buildings there are 64 in the body and 44 in the wing. No beds or furniture, except grates, in any of these rooms. Upon an average, there are about five hundred prisoners in the King's Bench, and about one hundred in the rules. There is no separate room allowed for men and women in case of sickness, not even to those who have no room of their own. No medical assistance is given to the sick. Thirty-six have been cured under my care, and a child now lies dangerously ill. Formerly there was an apothecary appointed for the common side prisoners by the Marshal, and paid out of the county charities and other donations, but they thought his bills extravagant, and petitioned to have each his own apothecary; none has attended since that time. Last winter the prisoners being very sickly, they found themselves in very great want of some medical assistance; their distress at that time was so extremely great, that they unanimously agreed to petition Lord Mansfield and the rest of the justices of his Majesty's Court of King's Bench, praying to have a person appointed for the prison to attend them in sickness, and to administer proper medicines for their relief; but the person employed to present the petition neglected to do it, and several prisoners have perished for want of medical assistance.

Scarce any of those humane and salutary regulations

regulations ordered by numbers of acts of parliament and rules of the Court of King's Bench are ever observed or put in force by those who have the care and conduct of that prison. The law is not deficient; but all the acts of parliament, rules of court, or orders of magistrates, will not avail against the evasions, chicanery and oppressions of mercenary, avaricious, and tyrannical gaolers, without inspectors frequently to go into every part of a gaol with ample powers to remedy every grievance, and an entire abolition, as I have already observed, of all fees.

As the delinquencies of a gaoler, in any part of his duty, affect so severely the distressed part of mankind, they should be more rigorously punished in a summary manner, for many important reasons, from dictates of humanity and of good policy, according to the sentiments of every feeling man for distress.

In the King's Bench no list or table of benefactions is hung up, as directed by several acts of parliament made for the relief of prisoners, &c. since 22 and 23 Cha. II. cap. 20. Even the brass plate fixed to a stone brought from the old prison, and placed in the outside wall of the present court-room at the building of the prison, is now lost, and no enquiry made after it. This was the only instance of a benefaction being publicly exhibited in this prison, and was done by the will of the donor, and not in pursuance of the act of parliament. None of the benefactions mentioned in Penrice's

rice's case are now paid, and some others not mentioned there have dropt off since.

The charities, I believe, belonging to the common fide, after the prisoner has been there two terms, amount to two or more shillings a week. Of this the senior prisoners in a junto, of whom the lobby is most afraid, and with whom they endeavour to be upon good terms, often get the best share; and in return for that partiality, they endeavour to keep the junior prisoners as ignorant as possible of what charities belong to the place; neither have they any fair list of them. What little is now paid to them quarterly, amounts to about £.19.

It is supposed from *good authority*, that the whole charities and allowances made by Parliament and Court of King's Bench, to the prisoners, amount to full £.400 a year, but of late years they have not received above £.90 yearly. As there is no list of charities, they naturally dwindle, and are forgotten.

The clerks of the Papers are stewards of the common fide, and receive their charities. Several entries are in the books of the common fide (which are wretchedly kept) to fine common fide prisoners five shillings each time for revealing the secrets of the house, or of the amount of the charities received by them. As this is a fact, can it be wondered at that no tables of charities are ever hung up as directed by acts of parliament, or that any of them in course of time are forgotten?

If

If any prisoner be sent from the King's Bench to the New Gaol on account of any riot or disturbance, he is made to pay 15 s. 10 d. fees contrary to law, before he is suffered to come back.

A fee of 11. 17 s. 10 d. for a discharge is demanded and taken of those prisoners who are committed for punishment by Court for a certain time. The same fee is also taken of those who are committed on judges warrants for perjury or other such crimes; no matter whether they are released on bail, discharged for want of prosecution, acquitted, &c. No such fees are inserted in the table of fees hung up; nay, the last mentioned fees are taken expressly against 14 Geo. III. cap. 20, which says, "That every prisoner who now is, or hereafter shall be, charged with any felony or other crime, or as an accessory thereto, before any court holding criminal jurisdiction, within that part of Great Britain called England and Wales, against whom no bill of indictment shall be found by the grand jury, and who, on his or her trial, shall be acquitted, or who shall be discharged by proclamation for want of prosecution, shall be immediately set at large in open court, without the payment of any fee or sum of money to the sheriff, gaoler, or keeper of the gaol or prison, from whence he or she shall be discharged and set at liberty by, for or in respect of such discharge."

The King's Bench has not been painted, white-washed, scraped or cleansed for several years

years at the expence of the Marshal, according to act 14 Geo. III. cap. 59, nor scarce any repair has been done by him, except the flating. Each prisoner is obliged to repair his own room, though one shilling a week rent is appropriated by rule of court for repairs, and is not intended for the Marshal's emolument.

The money allowed by parliament out of county rate, of which about 13s. 4d. belong to the jury, who sit on the body of every prisoner, is not paid to them as by law directed. None of the neighbours are called in, as directed, to be upon that jury, which ought to consist of six neighbouring inhabitants not prisoners. This jury is always picked, and consists of those who are under the influence of the lobby and keepers of gin-shops, with two or three young prisoners who are once called upon merely to make them pay a bottle of wine each for coltage, as they term it.

No notice is given when the coroner will sit, not even to the jury themselves 'till they are called into the lobby. And the whole affair is conducted with so much privacy, that if any death should happen in consequence of the neglect or ill usage of the Marshal or keepers, or from other prisoners, the whole may be easily smothered, and a verdict procured as is most agreeable to the lobby. This is a very great abuse.

Public notice ought to be given by the public crier with his bell, three hours at least before, and the same notice repeated. The jury

jury ought to be impannelled by some kind of rotation, and none of the officers of the house or runners of the lobby be allowed upon that jury. Witnesses too should be invited to give testimony of what they know of the prisoner's death. Some physical person who has attended the deceased should be present. As it is now managed, a person might perish with hunger, or die from intoxication, and the world never know it; consequently keepers escape punishment, which has, it is said, been the case of some who have died after excessive drinking. Not less than five have died within the space of a few months, whose death, as is currently reported, was occasioned by that means. One had his arm broke, another his leg, by fighting when drunk; a third had his shoulder dislocated, and a fourth his elbow, by fighting.

There have been no less than 30 gin-shops at one time in the King's Bench, and I have been credibly informed by very attentive observers, that upwards of two hogheads or 120 gallons of gin, which they call by various names, as vinegar, gossip, crank, mexico, sky-blue, &c. sold weekly, besides other spirits in proportion. The beer consumed upon an average amounts, by calculation, to eight butts a week; and from the 26th of June till the last clearance took place, 24 butts a week were drunk.

The prison in general has been very healthy since the new building was opened; not any extraordinary number dying more than what

may naturally be supposed from the number confined. In this gaol intemperance is extremely prejudicial to the health of the prisoners; when sickness comes upon them, their misery and sufferings are very great from a want of medical assistance; for sickness accompanied with poverty finds neither pity nor relief here.

No copy of the three clauses of the act against retailing of spirits in gaols, is hung up, as directed by the said act. Even the rules and orders of the Court of King's Bench are only hung up in the court-room of the common side, and no where else, though otherwise directed by the court.

It is pretended that the kitchen, which is a public building furnished and fitted up by government, is so far a private kitchen belonging to the tap, that no prisoner, who does not buy his beer at the tap, has any right to have his victuals dressed there. The marshal letts all the furniture of the kitchen, such as kitchen range, copper, &c. as well as the grates, benches, tables, &c. at the tap, to the keeper; and positively affirms that government has not allowed, nor are there any coals by charity belonging to the prison, although government has built a kitchen, fitted up a jack, large range, copper, &c. but the prisoners affirm that 72 chaldrons belong to the prison, and that 22 chaldrons are not consumed in the kitchen.

When a prisoner is committed, the turnkey demands 6s. 8d. for fees which more than half

half of the prisoners pay before they enter; but when the prisoner is discharged, the whole fees, viz. 20s. 10d. are demanded. If a prisoner knows what he is to pay, he deducts 6s. and pays only 14s. 10d. for his discharge. Not one quarter of the prisoners know this, but pay the whole fees of 20s. 10d. at their discharge. The society for discharging small debts are often defrauded in this way, as some who apply to them have paid 6s. 8d. when committed; but the court allows 20s. 10d. for commitment and discharge, which the society pay.

From the time a prisoner becomes possessed of a room, the marshal is entitled to 1s. a week for chamber rent, which is seldom regularly paid, but most prisoners pay part. When the prisoner comes to be discharged, the turnkey demands 1s. a week chamber rent from the time of his first commitment. Seldom any regard is paid to the time the prisoner was confined before he became possessed of a room, or to the money he may have paid on account. If any thing less than the first demand is taken, the prisoner must set the turnkey right, and prove his payment, as well as the time he got the room. An ignorant or incautious man is often imposed upon by this means.

I am informed there is the sum of £.8 a year allowed out of the county rates for a chapel clerk. That money is not paid to him; and the principal emolument he receives, is by collecting 6d. a head from as many of the prisoners as

he can, under the denomination of fees due to him on their first commitment; and two, three, or four shillings a week from those who lie in the chapel.

There are six beds in the room over the tap upon the masters side; which are supposed to be some of those originally found by the marshal, according to the order of the Court of King's Bench, June 16, 1760, for the accommodation of prisoners, for which he is to pay no more than 6d. the first night, and 3d. every night afterwards; or if two lie in a bed, only 2d. each. The room now is the private property of every tap-keeper, who for a long time past has bought these beds by appraisement of the marshal. They are let out at 3s. 6d. per week for half a bed. I have been told of half a crown being paid to a tap-keeper every night for half a bed.

No care whatever is taken of a prisoner, upon his commitment, to place him in a room, or even under shelter; and if he has no acquaintance in the prison, or comes in late, which is often the case, he may walk the streets of the prison all night.

Many prisoners in the King's Bench, whose actions are superfluous, or who have caused detainers and declarations to be lodged against them for pretended debts, occupy rooms, keep shops, enjoy places of profit, or live on the rent of their rooms a life of idleness; and being indulged with the use of the key, go out when they please, and thereby convert a prison,

prison, intended for confinement only, into an alms-house for their support; and by making their rooms life-hold estates, are thereby enabled to purchase freehold possessions for their children, to the great distress of real prisoners, who sometimes have no place to lay their heads. This grievance was represented in a letter to Lord Mansfield, of which the following is a copy. An enquiry was made into it, but the evil complained of remained unredressed till the new buildings were opened.

MY LORD,

THE junior prisoners confined for debt in close custody of the marshal of the Marshalsea of the honourable Court of King's Bench, humbly beg leave to lay the hardships of their distressed situation before you; and as they have full confidence in your Lordship's goodness and compassion for the unfortunate, they cannot entertain a doubt but they shall receive every relief in your Lordship's power consistent with justice and humanity, as soon as you are acquainted with their distresses. They therefore most humbly presume to inform your Lordship, that there are, according to the best information they can procure, near 400 prisoners now confined within the walls of this prison, out of which number there are near 350 debtors on the masters side: that there are only 84 rooms, about 9 feet square, on the said masters side, for their accommodation,

commodation, with 12 in the State-house, which are enjoyed by 12 prisoners, who have purchased that privilege of the marshal; and as one of the small rooms is allowed to be in the possession of the person who keeps the tap, there are only 83 rooms allowed for the master side prisoners to enjoy by rotation, according to seniority of commitment; and that there are at this time full 30 prisoners who continue to enjoy rooms by such seniority, whose original actions being become supersedable, they have caused detainers and declarations to be lodged against themselves for pretended debts, which are chiefly managed for them by the officiating clerk of the papers, or attornies either within or about this prison: the nominal plaintiffs in these declarations are generally some of the runners or errand-men belonging to this place, or others in the most indigent circumstances, who for the sake of a small gratuity are ready to swear to any matter they are wanted for. As most of these supersedable prisoners are allowed by the marshal to keep shops, enjoy places of profit, or else live on the rent of their rooms a life of idleness; and are all of them constantly indulged with the run of the key to go out whenever they think proper; they convert a prison, intended for confinement only, into an alms-house for their support, and deprive many of those who have been really confined several months, and are greatly distressed for a place to lay their heads down to rest, without paying exorbitant rents;

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the small rooms letting from 8 to 12 shillings a week empty, and if furnished with a bed, two chairs and a table, from 13 to 17 shillings, and the State-house rooms to one guinea and a half. There is not a single bed provided by the marshal at the price established by the order of court of the 16th of June, 1760; neither can all the prisoners, even at any price, be accommodated. Although every hole and closet large enough for a person to lie in, is occupied, no less than 33 lie in the chapel, the pulpit, pews and altar, being filled with bedding, converting that into a sleeping-place which was intended for divine worship. The chapel is thereby rendered so offensive, that several well-disposed Christians are prevented from attending divine service, for fear of catching contagious diseases. Many who cannot get at these conveniencies, are obliged to sit up all night, or lie on the bare boards and benches. They further humbly presume to inform your Lordship, that a few of the prisoners feeling for the distresses of their more unfortunate brethren, perceiving the evil tendency of the above practices, convinced that having the privilege of the rules would answer every good end to such supersedable prisoners, and those who have friendly detainers against them, who find it necessary to adjust all their affairs before they launch again into the world, have for near six months past applied to the marshal, requesting him to cause all supersedeable prisoners to vacate their respective rooms,

rooms, as is the constant rule on the common side, it being very clear in that case most superseable prisoners would live in the rules; but as the marshal declares this to be out of his power, we hope the consideration of not lessening the sale of beer at the tap, in the prison, or the doctours received from such superseable prisoners as are allowed to keep shops, places, &c. has had no share in forming this opinion. Indeed lately, upon repeated applications, a few of the next senior prisoners, amounting to about fifteen or sixteen, have been ordered to be chummed upon some of these superseable prisoners; but the procrastination, evasion, duplicity and chicanery made use of in the prosecution of this business by those who ought to enforce their own orders, has occasioned several disputes and quarrels amongst the prisoners, that it becomes necessary to apply for your Lordship's interposition to give that relief which is so much wanted. Indeed, my Lord, a debtor who comes in here without money, (and that there are many such is but too true) is for a long time in some respects in a worse situation than a felon, who, as soon as he is committed, is placed in his ward, and at least has his straw to lie on*, and his bread to subsist on found him by the prison: here, my Lord, a debtor may lie down under the canopy of heaven and perish, or like a pike in a pond, prey on his

* No felon has any straw allowed him to lie on.

own species, for any care taken of him by his keepers. These, as well as several other grievances, were intended to have been represented to your Lordship through a more proper channel, the gentlemen who are appointed to visit this place every Michaelmas term: it was prevented by the day of their attendance not being so publicly known as it ought to have been; and indeed their visitation is carried on so superficially, that they hope for your Lordship's pardon, should they say that the whole of this visitation is a mere farce: they do not think the gentlemen do their duty either to your Lordship or to them. Was the prison visited properly, the visitors could certainly never return back to your Lordship term after term, and not report that express acts of the legislature, and some of the most salutary and beneficial rules and orders for the benefit of unfortunate debtors, made by your Lordship and the honourable gentlemen who so ably and worthily assist your Lordship on the bench, remain unnoticed, or at least unregarded, by those who have the care and custody of this place. Good laws, my Lord, never sink into a dead letter without some material cause. As I remain fully convinced your Lordship will never permit any person in power under you to deprive the unfortunate of that relief which has been so humanely provided for them, I thought it my duty, in pity to my fellow prisoners, as no other mode remained, to send this information by such conveyance as

I presume, it cannot fail of coming to your Lordship's hands. At the same time, permit me to subscribe myself, with the greatest veneration and respect,

My LORD,

Your Lordship's most obedient,

Most humble,

And unfortunate Servant,

Decr. 24, 1775,

J. H.

To the Right Hon^{ble} William }
Lord Mansfield. }

If prisons are not furnished at the public expence, and all fees of gaolers totally abolished, it will perhaps be impossible to prevent oppression and extortion, which are not confined to the King's Bench only.

There is a rule of court, that on commitment of a prisoner, the state of his causes shall be inserted in the entry of his commitment. This is seldom attended to, which prevents the prisoner from knowing when he becomes superfedable, and some by that means lose the opportunity. The docquet containing the names of all prisoners charged each term in execution is not exhibited, whereby many lose the opportunity of suing for their groats, or procuring their discharge under the Lords act. This is often neglected, even when prisoners have absolutely paid for superfeding, and to sue for groats. Several instances can be mentioned,

tioned, by which neglect many have been kept till an act of insolvency has released them. Copies of declarations left at the lobby are as often neglected to be given to the prisoners.

There is an order of court, that no garnish shall be taken of any prisoner. When a person is committed, and comes within the walls of the prison, the cook, criers, and scavenger, demand a shilling each, and with a few of the rest of the prisoners, they make another demand of 1 s. 2 d. for a gallon of strong beer. It sometimes happens that a prisoner has not so much money at that time, or refuses to pay; the consequence is, he is immediately insulted and ill-used. This is a practice in most gaols.

There is an order of court, that fourteen days notice be given that the prison is to be visited on some day in Michaelmas and Easter term. This is evaded, and the visitor is kept ignorant of the state of the prison by a certificate fabricated in the lobby, vouching for the marshal and turnkey's good conduct in the government of the prison, signed by as many of the prisoners as the keepers can influence, who always retain a party of the prisoners to intimidate the rest, and to prevent their making any complaints; and whoever expects a favour at the lobby, or is afraid of being insulted, is obliged to sign, whether he approves or not.

The following reasons for refusing to sign the certificate were presented May 25, 1775, to the under marshal by a number of common side prisoners.

“**T**HOUGH we have no cause to complain of the marshal, nor of any of the officers belonging to him, of any cruelty, or of any unnecessary constraint on our persons, yet we think ourselves obliged to dissent from signing for the following reasons:

I. Because in the 4th article of the rules and orders, dated Nov^r. 25, 1729, mention is made of a daily subsistence to the common side prisoners, to which daily allowance or subsistence we are entire strangers, not having ever received any.

II. Because in the 14th article it is mentioned, that in the rooms set apart for the exercise of devotion, and also for conversation, a fire shall be kept as often as the rigour of the season shall require; to which privilege also we are entire strangers, not having any firing allowed during all the last winter.

III. That it is impossible for us to judge whether the whole of the charities belonging to the common side have been duly distributed amongst us, not having any list of the said charities whereunto to apply as directed by the 28th article.

IV. Because we conceive that the last quarterly money was unduly and unequally applied.

V. Because

V. Because we think that three guineas, lately given for the use of the poor prisoners, should have been divided amongst such only as were in present necessity, and not indiscriminately amongst all the prisoners.

And we think proper hereby to declare, that the above dissents are by no means intended to create any animosities or jealousy in the said prison, nor to promote or encourage any disorder therein, but only to set forth, in the most peaceful manner, what we think our most indubitable rights and privileges."

No scavenger is allowed, unless paid by the prisoners. No lamps are found by the marshal, as used to be the custom, nor any put up in the new buildings. I hear the prisoners are subscribing to raise a fund to fix lamps on the stairs. The law should compel gaolers to be at the expence of lamps, scavengers, &c. and not burthen poor prisoners with that tax.

The tubs of urine are very offensive: this might be remedied by having a cistern to contain a very large quantity, which might be emptied at particular times without being so disagreeable.

No gaming of any sort should be allowed in prisons for many obvious reasons; but though there are express orders to the contrary, gaming is not an uncommon practice in the King's Bench.

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From what I have now mentioned, (and much more might be said) it plainly appears that acts of parliament, rules of court, and mandates of magistrates, concerning the regulation of gaols, are much abused; therefore, from the principles of real humanity and of good policy, for the honour of the nation, the benefit of community and the interest of the state, all powerful motives to persons of humane sentiments and true patriotism, a parliamentary enquiry should be made without delay into the state of the gaols, that proper regulations may be made to obviate the present *numerous* defects in that part of our police.

To suffer children to remain in gaol is very impolitic for many reasons; besides crowding the house unreasonably, it not only corrupts their morals, but injures their health, stops their growth, hurts their looks, and endangers their lives.

As vicious women are most dangerous company, and many of them frequent prisons, there is much reason to forbid all women, except prisoners, who should have a particular division for themselves, from coming into gaols. Married women may be allowed to visit their husbands in the day, but not to remain all night. Suffering women to lodge in gaol contributes greatly to the dissolute and disorderly lives of many of the prisoners.

There are at this time 52 prisoners in the Fleet, 46 children, and 25 wives, or reputed wives: the other prisons, no doubt, have a proportionable

proportionable number of wives and children belonging to the prisoners; but as the small-pox is at present in the Fleet prison, I enquired what number of women and children there were, in order to prevail upon such as never had that disease, to leave the prison for a time, lest the infection should go through the house, as the natural small-pox is more dangerous in a gaol than in a private family. The inconveniencies from permitting prisoners to bring their wives and children to gaol are many and obvious.

Parents sometimes suffer an extravagant son to be some time confined in gaol, in order to reclaim him. This is a very dangerous and erroneous practice. Satan will rebuke sin when reformation of manners is brought about in a gaol.

The poor man that is brought thither without money in his pocket, (and that there are many such is but too true) is in a miserable state. Besides his other misfortunes, he runs the hazard of the most destructive of all losses, the loss of his integrity; and when he is restored to society, is no longer an useful, but destructive member. For with whatever principles the unhappy debtor enters a prison, compelled as he is to associate with the vilest and most deceitful, his principles are by degrees relaxed, and he too soon catches and copies the manners of those with whom he associates, and adopts not only their manners, but their sentiments. A poor man too often comes out of prison plundered of his money,
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lost to all sense of shame, and bereft of his integrity and good name, for which no compensation can be made, and whoever enjoys can never be poor. "He that robs me of my purse, steals but dross, it was mine, it's his, and has been slave to thousands; but he that steals my good name, robs me of what does not enrich him, but makes me poor indeed."

But let a man's integrity be ever so great, his reputation is much injured by being in prison. It is a common, though erroneous notion, that the unfortunate are always in the wrong; and to have been in a prison, carries with it the idea of something ignominious; and people too often shun them, as if they were monsters in human shape, whose very breath poisons the air, and an industrious man finds it difficult to procure employment upon that account.

When the prison doors are thrown open, the prisoner stalks abroad, poor, naked, friendless and forlorn, without a penny in his pocket or a roof to shelter his head; his necessities call vehemently for relief, nature must be supported, but his character and credit are so injured, that he can procure no employment: therefore stern necessity drives him, much against his will, to betake himself to illicit practices, and to associate with those whom he rarely forsakes, till he finishes his course at Tyburn.

Sometimes his spirits are so crushed in prison, that the feeble attempts he is able to make
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to support himself and family are not long sufficient for that purpose, and he at last becomes a burden upon the parish. And very often the poor prisoner, but lately set at liberty, is brought back to gaol for the trifle he was obliged to borrow to clothe himself and family, to get a little furniture, and to support them till he finds employment. Thus a cruel, envious, or litigious man, has it daily in his power to persecute the unfortunate.

This is the fate of the virtuous and industrious prisoner, who from want of employment, sickness, &c. is thrown into gaol; which shews that our laws respecting debtors are imperfect, and inadequate to the purposes for which they are designed. As the laws of England now stand, a man may be confined all his life-time for a debt above forty shillings, and is in a worse state than a felon, as there is no law which confines a man for life for felony. This seems to point out to the consideration of the legislature some general amendment of the whole system of our laws which relate to imprisonment for debt.

By long confinement in gaol, a prisoner is liable to the consequences of habitual indolence, filth and vice, and is often unwilling to return to labour when he obtains his liberty; which is another inconveniency arising from long and frequent imprisonment for debt. Therefore not only felons, or those abandoned wretches who have rendered themselves obnoxious to the state, forfeited the protection

of the law, and are bound to the public to make reparation by their labour for the lawless depredations they have committed upon the property of others, should be obliged to work, but even debtors should not be allowed to remain idle in prison; and those upon the masters side that do not work, should be obliged to pay so much weekly into the public fund for the benefit of the working prisoners, who should have a certain proportion of the profits of their labour reserved for them when discharged.

Providence intended that all mankind should labour; therefore idleness is contrary to the design of our Creator, and contrary to the frame and mechanism of our bodies; and we find that without labour or exercise the best regimen and medicines cannot preserve health.

It is an undeniable truth or axiom in politics, that the health, vigour, riches, and prosperity of every kingdom, depend on the numbers of its industrious inhabitants, labour being the true source of wealth, the parent of riches, and goddess of plenty; therefore every individual should contribute his share for the well-being of community; and there certainly is a great deficiency in sound policy, where so many are suffered to continue idle, dissolute, and unemployed; when we have too much reason to believe that idleness is a principal source from whence much misery and wickedness arise. We do not set our prisoners to work, but by indulging them in idleness, we oblige the industrious

dustrious part of the nation to support the idle and abandoned.

When once a person forsakes his labour, and becomes abandoned, he immediately enters the path which leads directly to the gallows; for idleness is confessedly the parent of wickedness, and where labour ends vice certainly begins.

What then so naturally presents itself as a punishment for the idle and wicked, and as a means to preserve health, as labour? Every man then should experimentally feel, that without a fortune of his own, or friends to support him, he must either work or perish; and that cheating or stealing will only drive him into a worse state than his former, and bring upon him what he dreads above all things, and wishes to avoid.

The profits arising from the labour of felons and others would bring in a considerable revenue. Every prisoner bred to a mechanical occupation, such as taylor, shoemaker, &c. should be obliged to work at their employments; and for others, not bred to any particular business, it will be no difficult matter to find one, agreeable to every person's age and abilities. And as encouragement is the soul of industry, every person should be entitled to some part of the profits of his labour, to be paid to him when he is discharged, to enable him to set up in some creditable way when he returns into the world, which would be the

means of preventing him from falling again into a wicked course of life.

It is well known, that the most able physicians and powerful medicines cannot preserve prisoners in health, or prevent the contagion of a gaol distemper, during the present uncleanness, irregularities and drunkenness in gaols, and while they are so much exposed to cold, hunger, and nakedness: therefore some regulations should be devised to alleviate the miseries experienced in gaols, and to keep them clean and healthy.

A penny loaf a day, the present gaol allowance, is an uncertain quantity, and insufficient to support a man in health. Providence has so ordered the mechanism of our bodies, that as soon as our food becomes so far putrid as to be unfit for the purposes of life, it is by the laws of the animal oeconomy expelled the body. There is then a constant and necessary waste in the body to preserve life and health, but that waste must be made up by a fresh supply of food to support the animal spirits and the vital principle of life, otherwise the person dies of inanition and putrefaction. And if that supply be too small, and not proportioned to the necessary waste, then the principle of animation becomes feeble, and the person droops and becomes ill, and has more or less a tendency to putridity, which is the case of prisoners in gaol: therefore a proper allowance of bread, oat-meal, rice, cod-fish, cheese, apples, turnips, potatoes, &c. clean
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and well-dressed, should be allowed, and all flesh-meat totally forbid, especially to felons.

Much animal food is very improper for all prisoners, because from the time our food is received into the stomach, till it is thrown out of the body by the different outlets, it is in a progressive motion to corruption; but animal food sooner arrives at that state than vegetables, therefore vegetable food is most proper in prisons, where so many things unite to promote putrefaction, and to render such places unhealthy. When less animal food is made use of in gaols, prisoners will be more healthy.

Some will be ready to say, that I would have felons to live too well; but when it is remembered that I would oblige every one to work as much as he is able, it will not be found too great an allowance, and labour in solitude, with such food, will prove a very effectual punishment; and I dare say there is not a felon in any gaol in this kingdom, that would not prefer his present allowance in idleness with his associates, than the food I recommend with labour in solitude.

Before trial every felon should have it in his power either to work or not; but if he does not work, his allowance should not exceed a two-penny loaf and water.

Water is the proper menstruum to dilute our food, and to assist digestion; it is the most wholesome of all liquids, and will agree with every constitution. A good appetite requires

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no wine, spirits, or strong malt liquor, to assist digestion and give spirits, and a weakly person is injured by them: they are dangerous superfluities of life, from which much evil arises.

If the use of all kinds of liquor except water be not rigorously prohibited in gaols, it will be impossible to prevent drunkenness, noise, quarrels, riots, and many other very great inconveniencies: therefore no tap-room should be permitted in a gaol.

This regulation will no doubt appear too rigorous to many, as beer is supposed to be almost a necessary of life to an Englishman; and to be obliged to send for every drop of beer from without, would be an additional expence to the prisoners, as well as productive of oppression to them. I grant, if wine or malt liquor, spirits or spirituous liquors, be at all allowed, they should be sold within the prison, but I deny that they are necessary either for life or health; and if the use of them be *unavoidably* attended with very bad consequences, even the death of several prisoners that I could name, why should they be permitted?

If the prisoners be allowed wine and porter, they will find ways and means to procure spirits; and some keepers, for valuable considerations, may permit the public sale of spirits, not less than 120 gallons of gin, besides other spirits, weekly; and when a man is intoxicated, and either dies thereby, or raises a riot, and maims and bruises his fellow prisoner,

or

or occasions the death of a sick person, it would be a very hard matter to say, and at the same time useless to know, with what liquor he is intoxicated.

Besides, when we know that the majority of prisoners in every gaol are idle, drunken, and disorderly, there is still greater reason to prevent gaols from being converted into houses of luxury and drunkenness.

Prisoners are not supposed *honestly* to have much money; and it appears very impolitic that the prisoner, who comes into gaol to spend his ill-gotten money in debauchery and drunkenness, should be permitted to follow such iniquitous practices. If all ale-houses and taps, where prisoners and their friends meet to drink, especially on Sundays, were abolished, and prisoners obliged to live on a spare, clean, and wholesome diet, sufficient to preserve health and strength, our prisons would not be crowded with debtors; and if such regulations are necessary for them, they are much more so for felons.

If any indulgence be granted to prisoners for debt, it certainly should be very judiciously qualified. At present imprisonment is no punishment to the collusive debtor, who has no character to lose, no honour to be injured, no conscience to be wounded. Perhaps he has been planning and preparing for his dishonourable retreat for years before his imprisonment. He makes a purse, and chearfully surrenders, loaded with the spoils of the honest, credulous and unsuspecting, who unfortunately had
dealings

dealings with him, or lent him money. He smiles at the thoughts of his success; plenty decks his table, while riot and drunkenness distinguish his apartment. His property, the visible voucher of his infamy and wickedness, he conveys by assignments, gifts and spurious loans, to some friend, relation, or young child, before he comes into prison, where, with the externals of poverty, he wallows in plenty, indulges in every extravagance, and is hardly a stranger to any vice that can debase human nature. He treads upon the necks of his poor fellow prisoners, and treats them with the utmost contempt and insolence, as if they were of some inferior species.

The artful and dishonest, who has cheated and plundered his neighbour, got credit under false pretences, and runs to gaol as an asylum, where he may securely spend his ill-gotten wealth, is generally clamorous, and pleads the greatest distress and oppression, at the very moment perhaps that intoxication denies the tongue its utterance. Of this sort I am sorry to confess there are too many to be found in gaols, who live by fraud, make a trade of cheating the unwary, and go from gaol to gaol, where they may get drunk when they chuse; the oftener they are in that state, the more respect and indulgence they meet with. In their cups they may break into the room of a sick or dying man, knock down or maim a sober, unfortunate prisoner, rendered feeble by cold, hunger and sorrow.

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For in a prison you often find a pallid, though serene countenance, where modesty restrains the complaint. Such people are naturally backward to reveal their afflictions, and the tongue frequently utters no complaint when the tear of distress hangs trembling on the eye. Want depresses the spirits, and the greatest distress is for the most part borne with most silence, and to whom can they make their moan? Shut up, with nakedness and hunger for their companions, the only liberty they possess is to perish in silence, while he that has money may do as he pleases.

If the free use of liquor in prisons where debtors are confined, be attended with so many bad consequences, certainly some method should be devised at least to lessen the grievance. This I am under a necessity of warmly recommending, because the sick are much injured by the rioting and drunkenness of their fellow prisoners. The felons seldom have such command of money, as to enable them to run to great excess in drinking; but their being suffered to associate together poisons the air, makes prisons very dirty and unhealthy, and has very terrible effects upon their morals.

Our gaols are designed as the habitations of recollection, sorrow and repentance; but by the present mode of confinement, we defeat the very intention, and convert them into schools of vice.

L O N E

One end in punishing offenders, is to reform and restore them to the world less dangerous to community, and more fit to discharge the duties of life than they were before. Are these the happy effects of the present mode of punishment? Nothing is so likely to injure, nothing is found by experience so powerfully to corrupt the morals as gaols. Suffering prisoners to associate together is pregnant with mischief to society, and is the reason the tree groans under so frequent executions.

From the moment a person enters a prison as a felon, he goes on to do all the mischief in his power, and comes out ten times more wicked than he was before; he is then confirmed in infidelity, and is bent upon plunging himself deeper into all the distresses of iniquity.

In gaol they serve a regular apprenticeship, and finish their education at Newgate. Prone to mischief, they drink deep at that fountain of iniquity: little thieves are there taught to become proficient in vice; and the hardy villain, still more daring, serves as a trap or gin to entangle the unwary youth, and to flatter and reconcile him to wickedness, till by adding sin to sin, he obliterates every trace of virtue from his mind.

The worthy and very ingenious Mr. Hanway recommends solitary confinement, hard labour, and a spare diet, for small and great crimes (murder and some other very atrocious crimes

crimes excepted) both before and after trial. This mode of punishment, he says, would do more in the prevention of felony, than all the laws the wisest legislature can enact. It would also tend to reclaim, and restore an useful and valuable member to society, a wretch whom the poisonous breath of his companions in wickedness would have sunk into perdition.

Solitude and hard labour, which he dreads more than death, would be a terrible punishment to a felon, and cannot fail to call forth recollection, and in a very little time would keep the prisons empty, and the profits arising from their labour would be no inconsiderable object to the state.

He thinks they would be glad to work without compulsion, to fill up that void which solitude would otherwise render dreadful: and if a felon be found incorrigible, ferocious and lazy, and will not work, let the gaoler represent him to the inspectors for corporal punishment. But there are few, in his opinion, that abstinence, hard labour and solitude, will not convert to a sense of duty without corporal punishment. The most stubborn spirit may be humbled, and the most wicked heart reformed. No man, though he be ever so abandoned, when left to himself in solitude and confinement, but must reflect and suffer the pangs of sorrow and contrition; and as he has relinquished his lawful trade for one more profitable of making depredations

on the public, it is proper that his labour, for a certain time, should be applied for the benefit of that public which he has so materially injured. Man's first transgression was punished by labour, which Providence seems to point out to us as a plan for correcting and restraining the wicked, that the honest and virtuous may live in peace and safety.

One solitary imprisonment with hard labour, would intimidate the abandoned more than ten executions. The felon would then be convinced, that practising the trade of an honest man is far better and more profitable than the business of a thief; and that labour, which he dreaded as the greatest evil, will *certainly* prove his fate, if he transgresses the laws. Prison-keepers are well acquainted with the nature of such wretches: ask their opinion of solitude, hard labour and spare diet. If the prejudice of custom and their own emolument do not influence their opinion, they will immediately declare, that it will prove the most effectual punishment, and the best means of preventing wickedness.

Mr. Hanway observes, that by this plan the punishment may be proportioned to the nature and degree of the crime, by making the confinement of longer or shorter duration, and the work more or less laborious. But under no pretence whatever should any two or more felons be suffered to associate, even for one minute; and no body should be permitted to come to them except the gaoler, clergyman, physician

physician and inspectors, and the person that brings their food and cleans their cell. For the influence they have upon one another, when suffered to associate together, would render this and every other method ineffectual.

All gaols for felons, which should be distinct edifices from the prisons for debtors, should be built with two principal divisions, one for men and another for women, and each of these into three more, one for great crimes, another for those of a lesser degree, and a third for delinquents and petty offences. Each of these courts should be subdivided into separate cells for each prisoner, who should be supplied with the common bounties of heaven for the preservation of his life and health. He should be kept clean, have cloaths, sweet air, and food sufficient to support nature. There should be a covered bath or bathing-tub in each division, and each prisoner separately should be obliged to bathe himself twice a week; and immediately before he is conveyed into his cell, let him be stript of his filthy rags, be made perfectly clean, and habited in an uniform. There should be a room in each division for that purpose. The cells should be sufficiently large, after the manner of those in Bedlam for the insane. They should be lime washed, and not white-washed, twice a year, and if lined with wood, should be painted green once a year. Green is the best colour, as it is most effectual in killing vermin. Each cell should have a bedstead of iron painted green,

green, fastened to the wall with an iron rod, with check or canvas curtains. Half of the door should be grated with iron bars for the benefit of air and light, with a sliding door at night. As they should be made completely clean before they go in, they should be obliged to keep themselves so under penalty of increasing their quantity of labour and shortening their allowance of food, which should consist of bread, oat-meal, rice, fruit, potatoes, turnips, carrots, and Newfoundland cod, which furnish a very sufficient variety. Flesh-meat, beer, wine, spirits, and every liquor except water, utterly forbid; and whoever attempts to furnish them with either of these articles, should be transported to Africa. Each criminal should be provided with a glaz'd earthen bason, a coarse cloth, a small and large comb, a glaz'd pipkin, bowl, spoon and large pot, one chair, a small table, a mattraß stuff with straw or hay, with tufts at proper distances to prevent those materials from running into knots; one blanket and a rug. The furniture of a cell should not exceed £.5; a prisoner's room for debt on the common side £.7; and on the masters side, £.10.

Every prison for debtors and gaol for felons should have one or more sweepers or scavengers, whose business should be to take their rounds every morning to carry away every prisoner's pot and bason, and to wash and replace them with a bason full of clean water. They should next wash and dress themselves, and

and take the same round with each prisoner's breakfast. Before dinner they should see that every part of the gaol be clean, then they should bring to the bath or bathing-house the prisoners whose turn it is to be bathed.

The sweepers or scavengers should be sober, middle-aged men, for the men's side; and women with the same qualifications for the women's side, with one or more attendants under them, according to the number of prisoners. The scavenger should make a daily report to the gaoler, who should enter the reports in a book, to be examined by inspectors appointed by parliament. The inspectors should very frequently visit every gaol, and every room of each gaol, in and about London, and once or twice a year every prison in the whole kingdom, and lay a state of them before the judges, sheriffs, and justices of each division, who may remedy all abuses, and supply any deficiency, as soon as the report is made. A physician should take the same inspection of the sick, and what relates to the health of prisoners, and make his report accordingly.

But while we take care of their bodies, we should not neglect their souls. There is no living in this world without religion, and I don't know how we can die without it. Religion is the basis of sound policy, and by it the heart is to be reformed; therefore a clergyman should be appointed for every gaol, to read prayers once or twice a day, and to give them separately private instruction and admonition.

nition. A few minutes private conversation will have more efficacy than as many hours spent in the old beaten tract of public preaching. And the assiduity of a pious clergyman who applies himself diligently to the duties of his office, will have great influence upon the minds of those unhappy people.

If they were admonished for their past offences, exhorted to follow a better course of life, assisted with short tracts printed for the use of prisons, upon the fundamental parts of religion, as the existence of a God, the immortality of the soul, the truth of divine revelation, the certainty of rewards and punishments, the necessary duties of christianity, and the beauty of moral rectitude, repentance would take place in their hearts, and they would think of returning to the world to live in an honest and reputable way. Then every one might sleep in peace and safety. When the criminal is discharged, he should have some trifle allowed him, that necessity may not drive him to associate with his old acquaintances, or return to his former wicked course.

The expence that would attend the execution of this plan is too insignificant to be offered as an objection to so salutary an institution; and I could undertake, that in three or four years time the profits arising from the labour of the prisoners would reimburse the public for all the expences incurred by the execution of this plan.

A manifest

Some defects will, I fear, soon be found out in the present law, for obliging felons to work on the river Thames in companies. I do not mean to blame the framers of the act; it is too consonant to my ideas of crimes and punishments, to suggest any objection to the motives for such a law; and the propriety of the punishment, its operations and effects, are now submitted to experience. Should a future revision of this law become necessary, it may be found proper to obviate some objections that may be mentioned, and experience will shew whether they are well founded.

To confine felons to labour is a new thing in this kingdom, and I fear too much indulgence will be shewn to them, which will effectually defeat the very intention of the act; for the rod of correction, and the drops of sweat which fall from their brows, should serve as a warning to others, while a change is thereby working upon their own wicked dispositions: therefore indulgence shewn to them would be highly culpable; but few consider that ill-timed mercy is the greatest cruelty.

The time of each felon's confinement should have been absolutely fixed according to the determination of the judges, unless it had been discovered by incontrovertible evidence, that the prisoner was innocent of the crimes charged against him, and then he should be cleared by the same authority that had committed him. For those who have friends to

fee the persons on whose report the criminals confinement depends, will, it is to be doubted, seldom find them inexorable, while the less hardened, poor and friendless offender, may labour out his full time, whatever may be his conduct.

A person any time in the practice of stealing plate, jewels, and other things of value, will easily have it in his power to indemnify the overseer for any trifling sum of £.20, £.30, or £.40, by conniving at a felon's making his escape: and if he can advance a sum of money, he may perhaps in after-time find his labour mitigated, and his punishment dwindle into a momentary confinement, inadequate to the ends proposed by the legislature in enacting such a law. I do not say that this will be the case, but I think the framers of the law should have foreseen and provided against such abuses. The penalty incurred by supplying prisoners with meat and drink is too small to prevent their friends and associates from transgressing the law. If they get drunk, the consequences might be very alarming.

Not only the aiders, assisters, or concealers of a felon that has made his escape, but every one in any way privy to it, who does not immediately inform a magistrate thereof, should be guilty of felony without the smallest hope of pardon. As no magistrate will neglect to make a proper use of such information, therefore no penalty is perhaps required.

At the first establishment of any regulation, every person employed faithfully discharges his duty.

duty. *A new broom sweeps clean.* The eye of the public is at first upon them, therefore even an unprincipled officer knows he must do his duty; but when the novelty is over, and people less watchful, if any unworthy person should then get into office, inconveniencies may arise, and the omissions here mentioned frustrate the whole institution.

But I fear it has a fundamental error, which is that of congregating prisoners. Nothing but solitary confinement will succeed.

The day before the above remarks upon the convict act were printed off, I went to see them at work upon the Thames. They are confined on board the hulk of an old West-India ship about 300 tons burthen, which lies at anchor close in shore, a little below Woolwich. There are 89 convicts, chained two and two, on board. The full complement of convicts for each hulk is 120, besides the governor, commander, and 20 men who take care of them: five lighters belong to each hulk. Each of the overseers or ship's company is armed with a broad sword, horse pistol and gun. The convicts behave with great submission, and discover no unwillingness to work. The sailors examine their irons morning and night, to see that all are secure; after that they have not the smallest apprehension of danger from the prisoners. Indeed their daring spirits seem to be so much humbled, that eight or ten men may govern an hundred convicts.

The hulk, which is the only one yet finished, has a cabin with 2 beds, a steerage for the ship's company, two small rooms, one of which is appropriated for an hospital-room, the other for those who behave well, that they may not be obliged to associate with the rest; and a hold for the rest, where they lie chained in pairs night and day, except when at work in the lighters. About a dozen, in consequence of their good behaviour, have their chains taken off. They eat in messes; each mess, which consists of six convicts, has an allowance of half a bullock's head, four pound of biscuit, and broth thickened with bread and oat-meal, every twenty-four hours. Sometimes, though rarely, they have hearts and shins of beef. They calculate, but with what degree of exactness I cannot take upon me to say, that from three ounces to half a pound and upwards of meat come to each man's share daily.

Every convict is to be allowed two brown linnen shirts at seven-pence halfpenny per yard, a pair of stockings at about fifteen pence per pair, a thick woollen cap at about one shilling each, and a pair of breeches and jacket, made of dark brown cloth, at about four shillings and sixpence, or nine-pence per yard. As I am not a competent judge of the value of each article, perhaps my calculation of the price may be somewhat erroneous. Their drink is water, but many of their friends and associates have in vain attempted repeatedly to supply them

them with food and drink. They at present lie on the bare boards, and the chain which fastens each to his companion admits of their being between two and three feet asunder. When any of them are refractory, the commander orders him to be flogged; one only has for a month past incurred that punishment. No person is admitted on board; no letters, &c. given or received. The hulk is smoaked with sulphur and washed with vinegar twice a week. No clergyman visits them, nor have they any medical assistance: twelve are now sick, and unable to move their heads from the boards on which they lie. Most of them complain of a diarrhœa; few are free from scorbutic blotches, some with bad sores and venereal complaints, and all look thin and pale. The dozen confined to the boards are ill of a low nervous fever, mostly accompanied with a purging.

Some of them have been ill a month, and others, by repeated relapses, are feeble, and not able to walk; yet they have received no medical assistance. They complain that the water is muddy and saltish, and think that it occasions the complaint in their bowels; yet I rather suppose that several causes unite to produce that effect, and to cause so much unhealthiness. Their flesh-meat, as they inform me, is not at all times sweet, but even green with rottenness. The biscuit, which is the only bread they have, is made of the third or coarsest part of the flour, and is very unwholesome; biscuit made even of
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the best flour is unwholesome bread : therefore each man should have daily a certain allowance of new-baked bread, made of the first and second flour mixed together. The water is no doubt muddy ; and if care be not taken to fill the casks at a proper time, it will likewise be saltish. The boiler in which they make their broth and boil their meat, is of copper untinned ; and they say that their broth at times tastes strongly of the verdigrease. Any one of these four causes is sufficient of itself to make them unhealthy, and occasion diarrhoeas, &c. therefore they ought to be looked into, and medical assistance should be provided for the sick, otherwise the *Justitia** hulk will soon prove the grave of many unhappy wretches.

Heat, moisture, nastiness, and bad air from the putrid effluvia of bodies, joined with unwholesome food, are an union of the strongest sceptics in nature : by increasing these causes to a certain degree, you would produce the plague. The convicts upon the river Thames will, I think, soon become very sickly ; and when the hot weather comes, if they live 'till then, may occasion a very alarming contagion, if some further regulations be not made.

Their cloaths are very proper ; and, with the addition of a flannel shirt, would be sufficient ; but every two should have a mattraß stuffed with straw or hay. The work is rather too easy, as they can only be employed at low

* Is the name of the ship.

water, and in the day-time; therefore they have a great deal too much idle time; and when they are at work, they are so lazy, that five and twenty common labourers would do as much as one hundred convicts in the same space of time.

The moisture from sea-water is rather healthy, but damps from fresh water are very much the reverse; and people will much sooner become sickly on board a ship at anchor in fresh water, than at sea. Therefore a gaol, with proper divisions something like barracks, built upon the water-side for the confinement of convicts at night, and at times when they cannot be employed in raising ballast, would answer better, and in time will be found absolutely necessary. They might then be kept separate, and obliged to employ the hours they could not work on the river in some useful business; for labour will never hurt any person, and felons should have as little idle time as possible, as they know not how to use it to any valuable purpose. If flesh-meat be at all permitted, they should have it fresh, and only twice a week, and the rest of the time they should live upon bread, vegetables, fruit and cheese. It were much better entirely to prohibit the use of flesh-meat. Every utensil used in cookery should be made of tin or ockamy. The water for drinking and cooking should be taken up at low water, and not used for one, two, or three days, till it gets clear. A small quantity of nitre should be mixed with

with the sulphur used in fumigation. And as tobacco smoke purifies the air, and is very wholesome, a quantity of it occasionally thrown into the hold, particularly in the night, would do good. The vessel is too small to contain an hundred and twenty men in health, shut down under hatches for so many hours, as they must be in winter. Half the number is too large a complement. They have perhaps more room than an equal number of sailors on board his Majesty's ships of war; yet we can draw no just conclusion from that circumstance, as they so essentially differ in many particulars.

As I visited the *Justitia* hulk this day for the first time, I cannot take upon me to say whether the account I received of their flesh-meat was strictly true. The bullocks heads which I saw were very fresh, and the water had no saltish taste; but the biscuit was of a very dark colour, and made of too coarse flour; and few of them had their allowance of cloaths.

This is a most excellent act, and the defects in it may be easily remedied. It will certainly be found of infinite service to this kingdom, and already begins to shew its good effects upon those under punishment; for they with one voice declare, that if they had their liberty again, they would take care never to return to the same place. So great is their aversion to labour, confinement and temperance, that some of them declared, if they
were

were again in danger of being brought back, they would murder their parents in order to be hanged, rather than submit to such a slavery.

To conclude, The office of a gaoler is a place of great trust; and when he faithfully discharges his duty, he merits respect: but certainly he should not be raised above doing the duties of his office, by a large salary, which enables him to commence a fine gentleman, and leave his business to be done by others.

No place of trust, filled by inferior people, should be so profitable as to enable the possessor to make a sinecure of it. When the principal lets his place to a deputy, that deputy has only one view, which is to get as much money, and in as short a time as possible, by every method that offers.

A keeper of a prison should be a man of a pious good character, and of some education, to keep a fair report of the prison, to be sent monthly or quarterly to the inspectors. He should have a decent house or apartment, and reside in his gaol, that he may be ready to suppress any riot. And in a gaol for debtors, the gaoler should hold a court twice a week, to hear and redress grievances, and to preserve due order and regularity amongst the prisoners. At present they are left to settle their disputes as they can; whoever has the strongest arm and heaviest purse fairs best. None, perhaps, are murdered; but I have
N seen

seen them covered with bruises, and other marks of violence, even to the loss of their eyes. This I think proper to mention, because the noise, rioting and disorders in gaols, are, as I have already mentioned, very prejudicial to the health of the sick.

In giving the reader an account of Tothill-fields Bridewell, I neglected to observe, that each prisoner, besides his penny loaf, has also a penny daily. In that gaol the three clauses against spirituous liquors are pasted up.

F I N I S.

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